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Convention on the Elimination of All Forms of Discrimination against Women

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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the eighth periodic report of the United Kingdom of Great Britain and Northern Ireland

Addendum

Replies of the United Kingdom of Great Britain and Northern Ireland to the list of issues and questions*

[Date received: 16 November 2018]

* The present document is being issued without formal editing.

Please recycle

Introduction

1. This document provides the United Kingdom's response to the list of issues and questions set out in Document CEDAW/C/GBR/Q/8, dated 3 August 2018.

2. In this response, entries which refer to the Wales and Scotland devolved administrations are to be treated as that administration's government submissions. In relation to Northern Ireland (NI), the power-sharing negotiations are ongoing and accordingly, devolved issues remain a matter for a restored Northern Ireland Executive and Assembly. Northern Ireland entries were submitted by Northern Ireland Civil Service and reflect the current position, which remains subject to review and agreement by future Ministers. UK Government remains committed to the restoration of a fully functioning Executive and Assembly in Northern Ireland.

Applicability of the Convention

Extending the Convention to the British Overseas Territories and Crown Dependencies

3. The territorial application of the Convention has been extended from three to seven Overseas Territories between 2016–2017. Over 70,000 women and girls in the Cayman Islands, Bermuda, Anguilla and the territorial grouping of St Helena now have increased protection from discrimination with the extension of the Convention to these jurisdictions. Work is underway to extend the UK's ratification to the remaining Territories of Montserrat, Pitcairn and Gibraltar in addition to the Bailiwick of Jersey.

Reservations to the Convention

4. In relation to the UK's reservation to article 9, the British Nationality Act 1981, which came into force in January 1983, does not allow discrimination against women within the meaning of Article 1 as regards acquisition, change or retention of their nationality or as regards the nationality of their children. The UK's acceptance of Article 9 shall not, however, be taken to invalidate the continuation of certain temporary or transitional provisions which will continue in force beyond that date.

5. In relation to the UK's reservation under article 11, the ending of State Pension Adult Dependency Increases (ADIs) was part of a package of reforms contained in the Pensions Act 2007. It is the intention that remaining payments of ADI will stop from 6 April 2020 when the reservation to article 11 will no longer be required.

6. The reservation to article 15 which relates to the exclusion of women from ground close combat (GCC) roles is left in place as full implementation of the decision to lift the previous exclusions on women is not expected until 2019.

Isle of Man

7. On 27 September 2018, the Council of Ministers approved the withdrawal for the Isle of Man of the following reservations and declarations, which will be progressed in due course:

- In initial paragraph A(c) the substitution of "any act done for the purpose of ensuring the combat effectiveness of the Armed Forces of the Crown" for "to the admission into or service in the Armed Forces of the Crown";
- Paragraph A(d);
- The full reservations under Articles 1, 9 and 13;

- The paragraphs under Articles 11, 15 and 16 that have been withdrawn for the UK.

Legislative and policy framework

Incorporating CEDAW into national law

8. The UK Government's view is that CEDAW rights are already largely reflected in existing domestic legislation, such as the Equality Act 2010 and the Human Rights Act 1998. The Equality Act prohibits discrimination, harassment and victimisation in respect of nine protected characteristics: sex, sexual orientation, gender reassignment, age, disability, pregnancy and maternity, race, religion or belief, marriage and civil partnership in areas such as the provision of goods, facilities and services, employment and education.

9. Paragraph 8 of the report makes clear that the UK Government does not agree that the Equality Act 2010 should incorporate all the provisions of the CEDAW Convention. To do so would create a hierarchy of rights in terms of sex as compared to other protected characteristics, such as disability or race.

Wales

10. The First Minister of Wales commissioned a rapid review to bring new impetus to the Welsh Government's work on gender equality. Phase one of the review reported in July 2018 with a series of recommendations which are now being considered in Phase two.

Northern Ireland

11. Measures taken to ensure that women in NI have at least the same equality protections as their counterparts in England is a matter for Ministers of the Northern Ireland Executive Committee. The Racial Equality Strategy (2015–2025) acknowledges more needs to be done to identify how we can prevent and combat multiple ('intersectional') discrimination.

Equality legislation and intersectional discrimination

12. The Equality Act 2010 provides robust protection across a range of protected characteristics and an employee or service user may bring a claim under more than one ground. Claimants may already bring multiple claims on different grounds for example, a person may bring an age discrimination and sex discrimination claim in respect of the same alleged act of discrimination and a court or tribunal may consider these alongside one another.

UK Withdrawal from the EU

13. The EU (Withdrawal) Act 2018, which effectively converts the vast majority of the body of European law into UK law guarantees EU minimum standards will be retained on exit day. On funding, the UK will continue to have all of the rights, obligations and benefits that membership brings, including receiving European funding, up until the point we leave the EU. The White Paper on the future relationship between the United Kingdom and the European Union, published on 12 July 2018, highlighted the UK interest in participating in future EU programmes, and collaboration, where it is in the UK's and the EU's mutual interest.

14. The Equality Act 2010 sets out wide-ranging equalities protections, and incorporates virtually all existing EU equalities law and Court of Justice of the European Union (CJEU) case law. In some areas, domestic legislation goes further

than EU requirements - for example the public sector equality duty, which places a proactive duty on public authorities to consider how their policies or decisions would affect people who are protected under the Equality Act. There are also domestic requirements that ensure gender pay gap reporting and non-discrimination in access to goods and services on grounds of e.g. disability or age.

15. UK Government is committed to ensuring that there is no regression in equalities as we leave the EU. Specific safeguards in the form of ministerial statements on equalities have been incorporated in relation to changes to legislation required by EU-Exit, which mirror part of the public sector equality duty.

16. The rights of women and girls in Northern Ireland will continue to be protected and promoted by a restored devolved Executive and Assembly in Northern Ireland and the UK Government, consistent with our domestic and international obligations. Exiting the EU does not change this.

Scotland

17. The First Minister has convened an Advisory Group on Human Rights Leadership, which is working independently of government to examine the human rights impacts of UK's EU exit and how best to protect and promote all human rights across all potential scenarios. In doing so, it will apply the three principles on human rights articulated by Scotland's Standing Council on Europe:

- There must be no regression from current standards;
- Scotland must keep pace with future EU standards;
- Scotland should demonstrate leadership on human rights.

Access to Justice

Historical Institutional Abuse

18. As required by its terms of reference, the NI Executive's Inquiry into Historical Institutional Abuse[1] examined if there were systemic failings by institutions or the State in their duties towards those children in their care between the years of 1922-1995. The Inquiry Report was formally published on 20 January 2017, detailing the findings of the statutory inquiry panel and its recommendations. The publication of the Report brought to a conclusion the Inquiry's investigation.

19. The NI Executive agreed in October 2016 to establish an independently chaired inter-departmental working group to look further into both Mother and Baby Homes/Magdalene Asylums (Laundries) and clerical child abuse. To fulfil the Executive decision to review the evidence around the experience of residents of certain institutions not considered by the Historical Institutional Abuse Inquiry, the Group has commissioned research into Mother and Baby Homes and Magdalene Laundries in Northern Ireland by academics based at Queen's University Belfast and Ulster University.

Review of Legal Aid, Sentencing and Punishment Offenders Act 2012

20. In recognition of the extensive nature of the changes made by the Legal Aid, Sentencing and Punishment Offenders Act 2010 (LASPO) and subsequent amendments, UK Government is undertaking a post-implementation review and assessing the extent to which the objectives of the LASPO changes were achieved.

[1] https://www.hiainquiry.org/.

Access to Legal Aid

21. The evidence gathering phase of the review is ongoing and so far, the Ministry of Justice has engaged with over 70 interested parties, many of whom have provided evidence concerning the impact of LASPO on different cohorts of clients, including women. The evidence gathering phase has concluded and the Government is committed to publishing the review by the end of the year.

22. The consultations that preceded LASPO were published over seven years ago, and since this time there have been significant developments in the UK's justice system. This includes the processes through which people can access legal advice. The review therefore also provides an opportunity to consider how we can improve the journey through the justice system for all users, including the groups of disadvantaged women that the Committee has highlighted.

23. In January 2018, the Ministry of Justice made a legislative change to facilitate access to civil legal aid for victims of domestic violence and child abuse. The amendment introduced new forms of evidence and expanded the scope of existing evidence that can be produced to enable victims to qualify for legal aid. The amendment also removed the time limits which previously required evidence to be produced within 5 years (2 years in relation to child abuse) of specified behaviour occurring. The effect of these changes is that more victims will potentially qualify for assistance. In the first quarter of 2018 there was a 21% increase in applications for legal aid for domestic violence and a record number of legal aid grants were made.

24. Legal aid is available for civil legal services provided in relation to contravention of the Equality Act 2010, subject to the statutory means and merits tests; this is available both for initial advice and representation. Publicly funded advice also continues to be available for Employment Tribunal discrimination claims, and publicly funded advice and representation is available in the Employment Appeal Tribunal.

Scotland

25. Changes to legal aid eligibility in England and Wales are not reflected in the Scottish system. Scottish Government provides funding for the Scottish Women's Rights Centre - a resource to ensure that women in Scotland who have or are experiencing gender-based violence are able to access timely and appropriate legal advice and information.

National machinery for the advancement of women

Strategy to implement CEDAW

26. Noting the Committee's recommendations, the Government Equalities Office is currently exploring a range of options to support women to enter and progress in the workplace, ensure that no one is held back by limiting social attitudes, and build equal opportunities for all.

Impact of tax policies and tax avoidance on women

27. Since 2010, UK Government has introduced over 100 new measures to tackle tax avoidance, evasion and non-compliance. These measures have secured and protected over £185 billion, including over £2.8 billion from initiatives with an offshore focus. This revenue helps fund public services, including initiatives to

advance equality between women and men. At 5.7%, the overall UK tax gap[2] is at a near record low.

Temporary special measures

Diversity in judiciary and policing

28. The Judicial Appointments Commission (JAC) applies an equal merit provision (EMP), in line with the Equality Act 2010. For recruitment of judge types where there is clear under-representation on the basis of race or gender (determined by reference to national census data and judicial diversity data from the Judicial Office), if two or more candidates are assessed as being of equal merit, the JAC can select a candidate for the purpose of increasing judicial diversity on the basis of gender or ethnicity.

29. In England and Wales, the police officer workforce is more representative in terms of gender and ethnicity than it has ever been.[3] See statistical annex. Women currently occupy some of the most senior roles in policing in England and Wales, including:

- Commissioner of the Metropolitan Police Service;
- Director General of the National Crime Agency;
- Chair of the National Police Chiefs' Council;
- The National Police Chiefs' Council lead for gender in policing.

30. The College of Policing has published a code of ethics, guidance on flexible working, and advice on the use of lawful positive action to increase the recruitment, retention and progression of officers from under-represented groups, which includes women in policing.

Discriminatory gender stereotypes and harmful practices

Gender stereotypes in advertising

31. The Advertising Standards Authority published their report on 'depictions, perceptions and harm in advertising'. The Committees of Advertising Practice (CAP) and Broadcast Committee of Advertising Practice (BCAP) subsequently consulted on a new rule and supporting guidance to proscribe adverts from depicting harmful or offensive gender stereotypes, including stereotypical gender roles and characteristics. The industry is also developing initiatives to include positive and diverse gender portrayal in adverts. UK Government has agreed to take forward work to tackle harmful gender stereotypes in advertising with industry.

32. In relation to online abuse, the Government Equalities Office is funding a Law Commission review to explore whether current legislation meets the challenges of abusive online communications.

Implementing Recommendations of the Leveson Inquiry

33. There have been extensive reforms of both the police and the press, with the majority of the recommendations from Part 1 having been implemented. Furthermore,

[2] The tax gap is defined as the difference between the amount of tax due to the Exchequer and the amount actually collected in any given year.

[3] Source: Police Workforce England and Wales, 31 March 2018.

UK Government is satisfied that all of the Inquiry's recommendations[4] in relation to law enforcement have been, or are being, delivered.

Scotland

34. The Royal Charter on Self-Regulation of the Press was agreed by the Scottish and UK Government, and was unanimously passed in the Scottish Parliament and by all the major parties at Westminster. The Royal Charter puts in place a process to implement the recommendations of the Leveson Report. This process is ongoing. Implementation of the principles of the Leveson Report is expected by Parliament and by the public.

Muslim women

35. UK Government published the Counter-Extremism Strategy in 2015, which emphasised the need to tackle both the violent and non-violent harms of extremism in all its forms, including the erosion of women's rights, promoting hatred and division in communities, the spread of intolerance and the isolation of communities. The *Building a Stronger Britain Together* programme is supporting over 150 civil society and community organisations to create more resilient communities, stand up to extremism in all its forms and offer vulnerable individuals a positive alternative. The Home Office has established an independent Commission for Countering Extremism with a clear remit to support the Government to identify and confront extremist ideology in all its forms, and to ensure women's rights are upheld.

Female Genital Mutilations (FGM) Prosecutions

36. A new female genital mutilation (FGM) mandatory reporting duty requiring professionals to report 'known' cases of FGM in under 18s to the police came into force on 31 October 2015. The duty is helping increase referrals to the police.

37. As highlighted in the UK's eighth periodic report, UK Government has significantly strengthened the law in 2015 to improve protection for victims and those at risk, and to break down the barriers to prosecution.

38. Courts can only consider the evidence before them and that evidence must demonstrate beyond reasonable doubt that an offence has occurred by a known person.

39. The courts in England and Wales have granted 220 FGM protection orders[5] since their introduction in 2015. The UK continues to keep under review whether any further legislative changes are needed, to support the police and the Crown Prosecution Service in bringing perpetrators to justice and protecting victims.

Scotland

40. Scottish Government announced that it would bring forward a Bill on FGM and intends to consult on what additional protections may be necessary for the purpose of improving the response to FGM.

Northern Ireland

41. The following legislative measures regarding FGM also extend to Northern Ireland:

[4] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/684678/GOVERNMENT_RESPONSE_TO_THE_CONSULTATION_ON_THE_LEVESON_INQUIRY_AND_ITS_IMPLEMENTATION_.pdf.

[5] https://www.gov.uk/government/publications/fgm-protection-orders-factsheet.

- Offence of female genital mutilation: extra-territorial acts;
- Anonymity for victims of female genital mutilation;
- Offence of failing to protect girl from risk of genital mutilation;
- Female genital mutilation protection orders.

Mandatory Reporting Duty

42. The 2015 Department of Health and Social Care (DHSC) FGM Prevention programme introduced guidance and provided support to NHS organisations to raise awareness of the FGM mandatory reporting duty as introduced in October 2015. NHS England continues to work with partners across health services and the police to increase awareness of and compliance with the duty placed upon professionals.

Scotland

43. Multi-Agency Practice Guidance was published in 2018 to ensure that women and girls have access to FGM services and that service providers are equipped with the skills to respond effectively. Health Scotland is working with the Scottish Refugee Council and community representatives to develop mechanisms for engagement with local health boards to promote awareness of needs, and accessibility of local healthcare services. The Chief Medical Officer/Chief Nursing Officer issued a letter in February 2016, which requested that health professionals in Scotland implement processes for the recording of FGM within health boards.

Medical and psychosocial support

44. The DHSC FGM Prevention programme [6] developed and published 10 recommendations about 'Commissioning services to meet the needs of woman and girls with FGM' which supports commissioners to consider how best to plan and offer high-quality services to meet the healthcare needs of survivors and how safeguarding is a core consideration at all times.

Wales

45. The mandatory reporting duty on regulated health, education and social care professionals has led to the coordination of training for professionals and an FGM clinical pathway within health. This streamlines the process in Wales and ensures communication between professionals and the police to report identified cases of FGM under 18 and those at risk of FGM.

Intersex children

46. Issues faced by people who are living with variant sex characteristics is an emerging policy area for Government. UK Government has announced its intention to publish a call for evidence on these issues. The evidence gathered from this exercise will inform the Government's next steps in this area. UK Government is aware of some calls from the sector to ban the practice of medical interventions on minor's sex characteristics.

[6] https://www.nhs.uk/NHSEngland/AboutNHSservices/sexual-health-services/Documents/FGM-prevention-programme-sept-2015.pdf.

Gender-based violence against women

Prosecutions and convictions

47. Prosecutions and convictions for violence against women and girls (VAWG) have risen 63% in the past decade, since 2007-08. In 2017–18, 960 offences of controlling or coercive behaviour were charged and reached a first hearing; an increase from 309 in 2016–17. In 2017–18 the volume of VAWG referrals from the police fell from 117,444 in 2016–17 to 116,574 — a slight fall of 870 referrals (0.7%).

48. The volume of VAWG crime prosecutions completed fell from 112,270 in 2016-17 to 105,613 — a fall of 6,657 defendants (5.9%). The volume of convictions fell from 84,565 in 2016–17 to 80,387 — a fall of 4,178 (4.9%). The conviction rate increased from 75.3% to 76.1%; conviction after trial (exclusive of mixed pleas) rose by 2.4ppt to 53.8%.

Domestic Violence Disclosure

49. In England and Wales, the Domestic Violence Disclosure Scheme [7] and Domestic Violence Protection Orders[8] (DVPOs) have been rolled out nationally to improve the protection available to victims. Over 3,410 disclosures have been made under the DVDS scheme and over 3,698 DVPOs have been put in place.

Stalking

50. In England and Wales, the proposed civil Stalking Protection Order will support existing tools to ensure there are robust protections available to victims of 'stranger stalking'. The order will:

- Be available on application from the police to the courts, ensuring the onus to take action is not on the victim;
- Have the flexibility to impose both restrictions and positive requirements on the perpetrator, including a requirement to notify certain personal details to the police;
- Have a criminal penalty for breach of up to five years' imprisonment, to ensure that there are consequences where an individual does not comply with its conditions.

51. The Stalking Protection Bill is currently going through Parliament.

Domestic Abuse Bill

52. UK Government will publish a landmark draft Domestic Abuse Bill later in this parliamentary session, which will protect and support victims, recognise the life-long impact domestic abuse can have on children and make sure agencies respond to domestic abuse effectively. The draft Bill will include measures to:

- Introduce a new statutory definition of domestic abuse;

[7] The principal aim of the Domestic Violence Disclosure Scheme is to introduce recognised and consistent procedures, based on this common law power, for the police to consider the disclosure of information in order to protect a member of the public who may be at risk of harm from domestic violence or abuse.

[8] DVPOs are a civil order that fills a "gap" in providing protection to victims by enabling the police and magistrates' courts to put in place protective measures in the immediate aftermath of a domestic violence incident where there is insufficient evidence to charge a perpetrator and provide protection to a victim via bail conditions.

- Create a new domestic abuse prevention notice and order to provide clearer pathways of protection for victims;
- Make sure that if abusive behaviour involves a child, the court can hand down a sentence that reflects the grievous and life-long impact that abuse has on the child;
- Establish a Domestic Abuse Commissioner;
- Further enshrine the UK's commitment to the Istanbul Convention by extending the extra-territorial jurisdiction over VAWG related offences.

Northern Ireland

53. In order to raise awareness of the issue of domestic violence and abuse (to encourage reporting of related incidents) and introduction of the new Domestic Violence and Abuse Disclosure Scheme (DVADS), the Department launched a dedicated mixed-media promotional campaign in March 2018. This three year targeted campaign will run until the end of March 2020.

Scotland — Domestic Abuse Act

54. The Domestic Abuse (Scotland) Act 2018 received Royal Assent on 9 March 2018. This Act creates a specific offence of abusive behaviour (not yet in force) that will cover not just physical abuse, but also other forms of psychological abuse and coercive and controlling behaviour that cannot easily be prosecuted using the existing criminal law.

Lesbian, Bisexual and Transgender women

55. In July 2018, the Government Equalities Office published the research report of their national LGBT Survey. The survey which received a record-breaking 108,000 responses, making it the largest survey of its kind from across the UK. This has improved the evidence base around the experiences of lesbian, bisexual and transgender women and those who identify as intersex gender-fluid or non-binary. This includes, for example, threats of sexual violence and controlling and coercive behaviour. In response, the LGBT Action Plan[9] was published which included a number of cross Government action commitments.

56. UK Government already provides funding for a LGBT helpline to provide direct support to victims of domestic abuse in England and Wales.

57. The Ministry of Housing, Communities and Local Government's (MHCLG) £20 million specialist accommodation-based fund provides support for initiatives across the country, such as Manchester City Council's scheme to provide independent living accommodation and caseworker support for LGBT survivors of domestic abuse.

Wales

58. Welsh Government funds a range of support services to protect women from abuse and violence irrespective of sexuality and gender-identification. A new Welsh Government Cross-Government Delivery Framework outlines the actions to be undertaken to inform the development of a new curriculum and guidance to include a range of topics such as education for LGBTQI, issues of sexual consent, and prevention of violence against women.

[9] https://www.gov.uk/government/publications/lgbt-action-plan-2018-improving-the-lives-of-lesbian-gay-bisexual-and-transgender-people.

Scotland

59. Scottish Government funds LGBT Youth Scotland to deliver the *Voices Unheard Project*,[10] which takes forward work to support LGBTI young people who have experienced gender-based violence (GBV) to share their experiences, reviews services for inclusive-practices, and engages with key decision-makers, and inform their peers and other professionals. The project also includes training delivery and support for the LGBT Charter process for GBV services to ensure that they undertake best practice for LBTI women, and LGBTI children and young people.

Reporting incidents of violence including domestic violence

60. UK Government expects every report to be treated seriously from the point of disclosure, every victim to be treated with dignity and every investigation and prosecution to be conducted thoroughly and professionally.

Wales

61. Welsh Government's National Strategy on violence against women, domestic abuse and sexual violence contains an objective to increase awareness and challenge attitudes of violence against women, domestic abuse and sexual violence across Wales. Welsh Government has developed and implemented a communications framework in partnership with key stakeholders and survivors of abuse. This has included the campaigns, *"This is Me"* and *"Don't be a Bystander"*.

Scotland

62. Scottish Government has committed to provide funding to Police Scotland to specifically train frontline officers and staff to identify the new offence of abusive behaviour (not yet in force). An additional £20 million over 2015–18 from Justice budgets has been committed, which includes increased support for advocacy provision. This funding has continued into 2018/19, primarily to support a number of existing funding allocations committed over the initial three-year period. Scottish Government is investing an additional £1.1 million funding to improve how sexual offences cases are handled and improve communication with victims.

Honour-based violence

63. Work to tackle so-called 'honour-based violence' (HBV) is an integral part of the cross-Government Violence Against Women and Girls (VAWG) strategy. £100 million in funding has been pledged, including the Home Office's £17 million VAWG transformation fund.

Wales

64. Welsh Government's cross-Government Delivery Framework outlines the actions it will undertake to combat violence against BAME women and girls, including:

- Jointly chairing the FGM, HBV and forced marriage (FM) Leadership Group with the Crown Prosecution Service and Bawso;[11]
- Commissioning research to identify projects and activities that challenge cultural attitudes towards FGM, FM and HBV within Wales;

[10] Voices Unheard: http://safelives.org.uk/node/1029.

[11] Bawso is an All Wales voluntary organisation, providing specialist services to victims and BAME people affected or at risk of by Domestic Abuse.

- Working with specialist BAME violence against women services in Wales to engage and support community champions.

Scotland

65. The CEMVO Network[12] was consulted in the development of the *Equally Safe* delivery plan, to represent the needs and concerns of BAME women experiencing gender based violence.

Northern Ireland

66. Draft provisions for a Domestic Abuse Bill have been developed, which will include:

- A new domestic abuse offence to capture patterns of psychological abuse, violence, and/or coercion of a partner, ex-partner or close family member;
- A statutory aggravation of domestic abuse which may attract enhanced sentencing for other offences.

67. This legislation will be for an incoming NI Executive and NI Assembly to consider.

68. There is also a 24-hour Domestic and Sexual Violence Helpline in NI. The Helpline is a free-phone service offering information and support to anyone affected by domestic and sexual violence regardless of nationality, gender, age, disability or sexual orientation.

Corporal punishment in the home

69. UK Government is clear that no child should be subjected to violence or abuse. It is parents' responsibility to discipline their children, but they should do so appropriately and within the boundaries of the law. The Government should not interfere in how parents bring up their children as long as the child is not at risk of abuse. The Government is aware of plans by the Scottish and Welsh governments to legislate on this issue, but has no plans to do so in England. Corporal punishment is prohibited in all maintained schools, registered independent schools, and registered childcare settings.

Wales

70. Welsh Government introduced a Bill to remove the defence of reasonable punishment, within year 3 of the legislative timetable [between Sept 2018 and July 2019]. If passed, this legislation will prohibit the physical punishment of children by parents and those acting in loco parentis within Wales.

Scotland

71. Scottish Government is opposed to the physical punishment of children and is supportive of draft legislation introduced to the Scottish Parliament. This legislation would remove the defence for parents and ban all forms of physical punishment of children, if passed.

Northern Ireland

72. In Northern Ireland, the law on physical punishment has been in line with England and Wales since September 2006. Legislation and standards are in place to

[12] CEMVO Scotland is a national intermediary organisation and strategic partner of the Scottish Government Equality Unit.

ensure that corporal punishment is prohibited in children's homes, day-care and fostering settings. Any proposal to change the law in Northern Ireland will require Executive agreement as the issue is cross cutting with implications for a number of Departments.

Sexual favours in exchange for accommodation

73. In England, if an asylum seeker does not have adequate accommodation, or the means of obtaining it, they are provided with free accommodation by the Home Office as part of the package of support provided to those who would otherwise be destitute. They are therefore not expected to seek accommodation from private landlords unless they have the financial means to afford the rent.

Wales

74. Welsh Government will amend the next version of the Code of Practice for landlords and agents licensed under Rent Smart Wales to make it clear that anyone who advertises property for rent with a requirement of sex, risks losing their licence to operate in Wales. Anyone licensed with Rent Smart Wales (in effect the only people who can have any interaction with tenants, or prospective tenants) must have passed a "Fit and Proper Person" test.

Scotland

75. There are 477 refuge spaces in Scotland, provided by Women's Aid. A refuge household space is defined as the accommodation that a woman, or a woman and her children occupy, whether it is self-contained or shared. Scottish Government fund organisations to provide support to women experiencing commercial sexual exploitation, including over £110,000 2017–2020 to *Another Way* service which helps women to exit prostitution.

Destitution Domestic Violence Concession

76. Data on the total number of women who have benefitted from the Destitute Domestic Violence Concession (DDVC) is not currently published. The DDVC provides support to people on a partner visa, whose relationship with a British citizen or settled person broke down as a result of domestic abuse, rendering their immigration status insecure. Though not eligible for the DDVC, the UK already has provisions in place that provide analogous support to asylum seekers if they are otherwise destitute.

Trafficking and exploitation of prostitution

National Referral Mechanism

77. UK Government continues to provide specialist support and advocacy services for victims of modern slavery and human trafficking. In 2017, UK Government announced a significant package of reforms to the National Referral Mechanism.[13] These reforms will make a tangible difference to the experience of victims of modern slavery by supporting their recovery and increasing their resilience to future exploitation.

[13] https://www.gov.uk/government/publications/national-referral-mechanism-reform.

Prostitution

78. The Home Office have commissioned a research project into the prevalence and nature of prostitution in England and Wales; indeed, such an evidence base is vital prior to considering any changes to policy and legislation. The Home Office has provided £150,000 to fund this research, which is being carried out by the University of Bristol. The final report expected is in Spring 2019.

Wales

79. The *Safer Wales StreetLife project* was instrumental in the setting up of the only Sex Worker Operational Team Multi-Agency Risk Assessment Conference, which shares information to manage risk for people involved in prostitution. The Safer Wales StreetLife project actively engages with 180 women involved in prostitution across Cardiff and Swansea through daytime and evening outreach, which includes evening outreach across Cardiff and Swansea.

Scotland

80. Scottish Government commissioned research to consider the reliability of the evidence base internationally on the impacts of the criminalisation of the purchase of sex, and to explore the available knowledge and evidence of prostitution in Scotland. Scottish Government's approach focuses on improving policy and available support in this area in terms of prevention, harm reduction, support to exit and challenging demand.

Northern Ireland

81. Prior to the introduction of legislation in 2015 which criminalised the purchase of sex, the Department of Justice commissioned independent research into the extent and profile of prostitution in Northern Ireland. This research report was published in October 2014.[4] The research also sought views from those working in the sex industry on the nature and adequacy of support services available for those wishing to exit, or remain in, prostitution. This part of the research fed into a strategy on help and support for those leaving prostitution, published by the Department of Health in July 2016.

82. A statutory review of the impact of this legislation on the safety and well-being of those who sell sexual services and the extent to which it has reduced human trafficking for sexual exploitation will begin in November 2018 and report by April 2019.

83. On the second question contained in paragraph 12, relating to burden of proof in cases involving children, the Department is considering whether, in relation to all sexual offences which are defined by age and for which the rebuttable presumption of reasonable belief is available, including the offence of paying for sexual services of a child, the law should be changed. This issue will be included in the Department's review of the law on child sexual exploitation and sexual offences against children, which will be published for consultation before the end of 2019.

Participation in political and public life

Political Representation

84. There is £1.5m set aside from the suffrage centenary fund for grants to support projects in England that will encourage women to participate in public life. Projects are being delivered by a range of organisations from national charities, women's organisations and grassroots community groups.

85. The Government Equalities Office hosted an *#AskHerToStand* event, which gave aspirant women practical advice on running for an elected role in national or local government.

86. On 8 November 2018, Minister for Women and Equalities hosted the *Women MPs of the World* conference, which took place at the House of Commons marking the centenary year of women's suffrage in the UK. It brought together, women parliamentarians from around the world to celebrate their achievements, discuss how to strengthen visibility, and further empower women parliamentarians to continue to drive change nationally and internationally.

87. The Ministry for Housing Communities and Local Government have been working with representative bodies to establish a package of practical measures to overcome barriers facing women entering or remaining in political roles in local government.

Wales

88. Welsh Government launched the *Diversity in Democracy Programme* in 2015. The programme was aimed at increasing the diversity of individuals, particularly by gender, standing for election to local government in May 2017.16 out of 51 the participants in the programme stood as candidates in the local government election and 4 were elected as councillors, all of whom were women.

Scotland

89. Scottish Government recently consulted on electoral reform and is currently considering the responses to the consultation — including comments on representation of women. Scottish Government will work with local authorities to identify ways to assist an increase in the representation of women in local government.

Northern Ireland

90. In NI, women have been a named beneficiary group under successive EU-funded Peace Programmes, including Peace IV 2014–2021.

91. A regional level project under the Peace IV Building Positive Relations theme (Action 4.2) has been awarded to *Politics Plus* to deliver a project called *The Next Chapter*. This project has been allocated almost €1,5million (ERDF [14] +Match funding). The project seeks to address the under representation of women engaged in public life.

Public appointments

92. In 2016–17, 49% of new public appointments were women. UK Government has published a Public *Appointments Diversity Action Plan*,[15] which sets out the wide-ranging initiatives we are pursuing to help achieve our goal of balanced representation of women and men on the boards of public bodies. It is the Government's ambition that by 2022, 50% of all public appointees should be female.

[14] European Rural Development Fund.

[15] https://www.gov.uk/government/publications/public-appointments-diversity-action-plan.

Civil Service

93. Currently, just under 30% of Permanent Secretaries are women in the Civil Service. Existing or planned initiatives to increase gender diversity within the Senior Civil Service include:

- The Future Leaders Scheme (FLS) aimed at the top 1% of Grades 6 and 7 across government, who have the potential to join the Senior Civil Service within the next few years. There has been above 50% of women on the FLS programme each year. In the 2018 intake on FLS, women made up 53.2% (compared to 46.3% of Grades 6 and 7 being women as at March 2018);
- Increased transparency via the new data dashboard (from June 2018). This provides a means of comparing gender representation at all grades, in all departments, agencies and professions.

Wales

94. Welsh Government's Senior Civil Service is currently 40.4% female (as of 31 July 2018). Welsh Government has a female Permanent Secretary and 6 (40%) of Board Members are women. Executive Band (the feeder grades below the SCS) is currently 50.2% female (as of 31 July 2018).

Representation on Sporting Bodies

95. In June 2018, *Women in Sport* published their *Beyond 30%* report which focuses on assessing workplace culture in sport. The report recommends that the first step should be for organisations to identify any cultural issues which may be deterring women from joining their workforce or progressing in their careers. In England, the Code for Sports Governance requires each publicly funded organisation to adopt a target of a minimum of 30% of each gender on its board.

Wales

96. The sporting boards of the high impact National Governing Bodies (NGB) in Wales comprise of 33% women. Sport Wales has agreed a new policy to address the Board Gender Diversity of the NGBs of sports in Wales.

Scotland

97. In 2017, a *Women and Girls in Sport Advisory Board* was established to provide independent advice to the Minister for Public Health and Sport on female participation and awareness raising in all areas of sport and physical activity.

Representation in the Judiciary

98. As highlighted in paragraph 6, the 2018 Judicial Diversity Annual Statistics and the Judicial Appointments Commission's Judicial Selection and Recommendations for Appointment Official Statistics 2017/18 show that there have continued to be small improvements in female representation from 2014 to 2018:

- 24% to 29% in the courts (an increase of 1 percentage point since 2017);
- 43% to 46% in tribunals (an increase of 1 percentage point since 2017);
- 18% to 24% in the High Court (HC) (an increase of 2 percentage points since 2017);
- 18% to 24% in the Court of Appeal (CoA);
- 52% to 55% of magistrates;

- Three of the twelve UK Supreme Court justices are women, including the first female president appointed in 2017. Currently, statistics relating to BAME women in the judiciary are not published.

99. In April 2018, the Ministry of Justice announced funding for the pre-application judicial education programme (PAJE). This is an initiative with the legal sector, to support lawyers from underrepresented groups to apply for judicial office: women, BAME, lawyers with disabilities and those from a non-barrister professional background (including solicitors and Chartered Legal Executives).

Access to Elected Office

100. The Access to Elected Office pilot scheme evaluation report was published on 18 June 2018. The evaluation shows that 47% of funds were awarded to women with disabilities seeking elected office. The pilot scheme closed in 2015. The Government Equalities Office, together with the Office for Disability Issues and the Cabinet Office, is now undertaking a programme of work with disability stakeholders over the next 12 months to help political parties best support disabled candidates. In the interim, the Government announced in May 2018 a £250,000 fund to support disabled candidates with disability-related expenses, primarily for the forthcoming English local elections in 2019.

Scotland

101. The Gender Representation on Public Boards (Scotland) Act received Royal Assent in March 2018. The Act makes provision to improve the representation of women on the public boards in Scotland.

Northern Ireland

102. The new draft Audit of Inequalities for the Department for Infrastructure (NI) contains the ongoing objective to increase diversity in public appointments including gender equality. The Department has been unable to launch any public appointment competitions in the 2017–18 year due to the absence of an Executive Minister. Executive Ministers had agreed the following timescales for achieving gender equality in aggregated public appointments across the Northern Ireland Civil Service:

- By 2017/18 for appointments made in-year;
- By end-year 2020/21 for all appointees in post, with equality reflected both in board membership and at chair level.

Women, peace and security

National Action Plan

103. In January 2018, the UK launched the fourth iteration of the National Action Plan (NAP) on Women, Peace and Security (WPS), the 5-year strategy for how the UK will meet its Women, Peace and Security commitments under United Nations Security Council Resolution 1325.

104. UK Government has committed £1.6 million following the Commonwealth Heads of Government Meeting commitments for the development of the Women Mediators across the Commonwealth initiative — a platform to support women peacebuilders from across the Commonwealth, developing capacities through training and mentoring.

Zero-tolerance to sexual exploitation and abuse

105. The UK fully supports the UN Secretary General's (UNSG) zero tolerance approach to sexual exploitation and abuse (SEA) in any part of the UN system. At UNGA 2017, the Prime Minister joined the UNSG's Circle of Leadership on SEA and negotiated and signed the UNSG's Voluntary Compact on SEA. Over the past three years, the UK has provided approximately $3 million to support UNSG efforts to tackle SEA and improve accountability. At the Department for International Development's Safeguarding Summit 2018 in London, major commitments were made to prevent sexual exploitation and abuse.

Scotland

106. In 2016, Scottish Government announced funding of £662,641 (2016–19) to enable Police Scotland's International Development and Innovation Unit to deliver capacity strengthening work with the Malawi Police Service in the south of Malawi.

Northern Ireland

107. Published in 2016, the NI Executive action plan on tackling paramilitary activity, criminality and organised crime aims to deal with all forms of paramilitary activity, including coercive control and intimidation in communities. The action plan aims to deliver a programme to develop the capacity of women to participate in community development.

UK Peacekeeping

108. When UK Service Personnel are in a peacekeeping role, they remain subject to the criminal and Service law, which applies in the UK. If they commit an offence anywhere in the world, which would be an offence in the UK, they can be charged with that offence, prosecuted in the UK's Service Justice System and, if convicted, punished appropriately. Even if their behaviour did not constitute an offence under the law, all Service personnel are required to abide by the Standards and Behaviours required by their individual Service.

Education

Careers Strategy

109. The Department for Education (DfE) published a careers strategy in 2017 which sets out a long-term plan to build a world class careers system that will help young people and adults choose the career that's right for them. As part of the strategy, the breadth and effectiveness of current careers provision in schools and colleges on science, technology, engineering and maths (STEM) is being assessed. An evaluation of approaches to careers provision to encourage young people, especially girls, to consider jobs in science, technology, engineering and maths is being conducted.

Apprenticeship Diversity Champions Network

110. The DfE is taking action to address gender disparities in the take up of STEM-related apprenticeships through a range of activities. These include taking part in the Year of Engineering campaign 2018 and use of the Education and Skills Funding Agency (ESFA's) Apprenticeship Diversity Champions Network.

111. DfE has also made it easier for part-time workers to undertake apprenticeships, such as those with caring responsibilities and lone parents. Since its establishment in 2017, the Apprenticeships Diversity Champions Network (ADCN) has made

addressing this issue one of its core priorities. The network has developed best practice to share across employers to increase the number of women in STEM, including anonymised CVs and unconscious bias training, using role models and STEM ambassadors, women-only work experience opportunities, and schools outreach programmes.

Women in senior leadership in academic institutions

112. The Athena SWAN Charter,[16] which was established in 2005 for women in science, technology, engineering, maths and medicine (STEMM) employment in higher education (HE) and research is a world-leading initiative. The Charter is run by Advance HE who have appointed an independent panel to evaluate the programme. The sector is also leading the way to understand the evidence behind the gender pay gap.

Wales

113. In 2018, Welsh Government launched the National Academy for Educational Leadership (NAEL). NAEL will secure and inspire leaders now and for the future across the entire education system in both Welsh and English medium settings,[17] and it is committed to the principles of equity of access to provision. NAEL supports all leaders at whatever stage of their careers they are at.

Homophobic, Biphobic and Transphobic Bullying

114. UK Government's anti-Homophobic, Biphobic and Transphobic (HBT) bullying programme has reached over 1200 schools in England. From March 2019–2020, the Government Equalities Office will provide further funding for interventions in schools, and consider further projects in further and higher education institutions. The programme covers how to make schools more LGBT inclusive, tackle bullying and harassment and gender stereotypes.

Scotland

115. The *Respect for All* guidance is for everyone working with children and young people and provides a holistic approach to anti-bullying. LGBT Youth Scotland produced additional guidance, which complements *Respect for All*. This provides additional advice to school staff on addressing homophobic, biphobic and transphobic bullying. LGBT Youth Scotland has also been delivering seminars across Scotland to support the guidance. Guidance around recording and monitoring of bullying incidents in schools have also been published.

Wales

116. Welsh Government is updating its anti-bullying guidance *'Respecting others'*, which was published in 2011. The revised guidance will be published for consultation in late 2018 and will include guidance on bullying incidents related to lesbian, gay, bi-sexual, transgender and questioning (LGBTQ+) issues.

Northern Ireland

117. Relationships and Sexuality Education (RSE) is mandatory within the curriculum for all pupils of compulsory school age (4 to 16) attending publicly funded schools. The curriculum is designed to give schools as much flexibility as possible in what they choose to teach and to use approaches that best suit their pupils. The

[16] https://www.ecu.ac.uk/equality-charters/athena-swan/.

[17] Educational establishments that teach through Welsh and English language.

curriculum no longer implies a mandatory list of subject content that everyone must cover; rather the prescribed content is high level. This provides teachers with the flexibility to decide which specific topics are most appropriate to meet the needs of their pupils and to update their resources in line with the fast pace of societal change to ensure young people are both safe and well-informed about all of the issues they face in modern society.

118. In 2015, the Council for the Curriculum, Examinations and Assessment (CCEA) produced revised guidance on RSE for primary and post-primary schools.

Employment

Gender Pay Gap and occupational segregation

119. The overall gender pay gap for the UK stands at 17.9% and the part-time gender pay gap stands at -4.4%. The gender pay gap for full time employees is at an all-time low of 8.6%.

120. In 2017, UK Government introduced ground-breaking regulations requiring large employers to publish the differences between what they pay their male and female staff in average salaries and bonuses. In the first year of reporting, over 10,000 employers reported their data. The regulations push employers to address the systems or processes that make it disproportionately harder for women to reach specific roles, in order to tackle occupational segregation.

121. UK Government is encouraging employers to use their gender pay gap data to identify the obstacles to women's recruitment and progression within their own organisations and issued guidance for employers, detailing evidence-based actions organisations can take to close their gender pay gap.

Wales

122. The Agile Nation 2 project aims to promote gender equality and support career advancement through targeted support for employees and through working with employers. The project ran from 2015–2018 and has been extended by two years. The project delivers two strands of activity.

123. To date, the project has already engaged with over 1,800 participants, of whom more than 1,100 have already gained a qualification, and supported almost 400 employers, of which nearly 300 have adopted or improved equality and diversity strategies.

Scotland

124. Both the full time pay gap and overall pay gap (full and part-time) have narrowed considerably in Scotland since 1999 — the full-time pay gap from 16.7% in 1999 to 6.6% in 2017 and the overall pay gap from 24.6% in 1999 to 16.1% in 2017. Scottish Government is taking action to narrow the gap through a number of actions including tackling workplace pregnancy and maternity discrimination and delivering a returners programme to help women who want to return to work following a career break. Scottish Government introduced the Gender Representation on Public Boards (Scotland) Act 2018 and are also providing funding to challenge and change employment practices and workplace cultures.

125. Scottish Government are funding the Improving Gender Balance programme which works with early learning centres and schools to develop effective approaches to overcoming gender stereotyping.

Northern Ireland

126. The Employment (Northern Ireland) Act 2016 introduced an obligation on employers to report on gender pay. In the absence of Ministers and an Assembly, Government is unable to progress the gender pay legislation.

Sex-based discrimination

127. UK Government is undertaking a range of initiatives to combat workplace discrimination against women. For example, in May 2018 the Government Equalities Office launched the Workplace and Gender Equality (WAGE) Research Programme which aims to enable employers to take evidence based action to close their gender pay gap by bringing together leading academics and policy makers to gather existing evidence, identify and fill evidence gaps and translate research into practice by disseminating key findings to employers.

Scotland

128. Scottish Government is funding *Close the Gap* [18] to develop and pilot an accreditation scheme for employers called 'Equally Safe at Work'.

Sexual harassment

129. Part 5 of the Equality Act 2010 contains provisions which make it unlawful for an employer to discriminate or harass a person because of or for reasons related to 'sex' in employment, including in recruitment and selection and the terms on which it offers employment. The Act also offers protections that prohibit sexual harassment in employment, the provision of services, the exercise of public functions, the occupation, disposal or management of premises, education, and associations such as private clubs. Several pieces of other legislation offer protections against sexual harassment at both a civil and criminal level, and against other forms of abuse (such as violence against women and harmful sexual behaviour).

130. Following their inquiry into sexual harassment in the workplace, the Parliamentary Women and Equalities Select Committee (WESC), made a number of recommendations. The Government will shortly set out a full programme of work to address workplace sexual harassment, in response to this WESC's inquiry.

Shared Parental Leave

131. UK Government ran a £1.5 million communication campaign to promote Shared Parental Leave to parents, underpinned by improved tools and guidance. When the Government introduced the Shared Parental Leave and Pay schemes in 2014, it was estimated that around 285,000 couples would be eligible for the scheme and that take up would be between 2% and 8% of eligible couples. Information provided by employers to Her Majesty's Revenue and Customs (HMRC) in respect of claims for Statutory Shared Parental Pay (ShPP) suggests that actual take-up is broadly in line with this estimate.

Scotland

132. Scottish Government is funding the Family Friendly Working Scotland Partnership to promote family friendly and inclusive workplaces to employers and employees in Scotland. Scottish Government, including its Agencies and Non

[18] https://www.closethegap.org.uk/.

Ministerial Departments, provides eligible employees with up to four weeks consecutive paternity leave at full pay.

Flexible working

133. The Flexible Working Taskforce comprises representatives from across Whitehall, from key organisations like Carers UK and Working Families, the Trade Union Congress (TUC) and key business groups. The taskforce tackles issues around flexible working which are key to improving the recruitment, retention and progression of key groups in the workforce.

Scotland

134. Scottish Government funded a Timewise report into the Flexible Jobs Index which highlighted that the gap between flexible working and flexible hiring is causing a talent bottleneck, particularly for women. Scottish Government is also encouraging employers to consider what positive actions can be taken to increase the number of high quality flexible jobs available. Funding has been allocated to Family Friendly Working Scotland FFWS) partnership to support and promote development of family friendly workplaces.

135. ChildcareUK Government has doubled the childcare entitlements for working parents of 3 and 4 year olds, from 15 to 30 hours a week, saving them up to £5000 a year. More than 340,000 children aged three and four years old benefitted from a 30 hours place throughout the first year of delivery. The Government introduced 15 hours of free early education a week for disadvantaged two-year-olds in 2013. We will be spending around £6 billion a year on childcare support by 2019–20 — a record amount. This includes around £3.5 billion which we plan to spend this year on all the free early education entitlements.

Wales

136. The childcare offer provides 30 hours of government-funded early education and childcare for working parents of three and four year olds for 48 weeks of the year. The childcare offer has been delivered within seven local authorities across Wales since September 2017 and from September 2018 another seven local authorities will begin delivering the offer. Welsh Government has a capital budget of £60 million for the childcare sector and early education over the next 3 financial years.

Scotland

137. Scottish Government and local authorities have near doubled the funded childcare entitlement from 600 hours to 1140 hours per year from August 2020 for all 3 and 4 year olds, and eligible 2 year olds. Scottish Ministers and COSLA (Convention of Scottish Local Authorities) Leaders agreed a multi-year revenue and capital funding package that will see £567 million additional annual revenue funding provided by 2021–22, and £476 million of capital funding provided over the period 2017–18 to 2020–21.

Northern Ireland

138. The NI Executive Childcare Strategy is being delivered on a phased basis. This led to the Bright Start School Age Grant Scheme which currently supports approximately 2,500 low cost childcare places across NI.

Health

Abortion in Northern Ireland

139. Although the Supreme Court dismissed the appeal on technical grounds, the UK Government recognises the Court's view that the current law on abortion in Northern Ireland insofar as it relates to fatal foetal abnormality, rape and incest is incompatible with Article 8 ECHR. At present, however, no declaration of incompatibility has been made by the courts for consideration or response by the UK Government or a restored government in Northern Ireland. Abortion is a devolved matter for a restored Northern Ireland Executive and Assembly to consider. UK Government remains committed to the restoration of a fully-functioning Executive and Assembly in Northern Ireland, so that locally accountable politicians can consider and address sensitive issues such as this.

140. In June 2017, UK Government introduced a scheme to enable women from Northern Ireland to access termination of pregnancy services in England without having to pay. Previously, women from Northern Ireland, unlike women in the rest of the UK, were asked for payment for these services. We are operating a central booking system that women can use to access these services, which includes providing travel costs for women in financial hardship.

141. The Women and Equalities House of Commons Select Committee has recently launched an inquiry into abortion law in Northern Ireland. It has invited evidence specifically on the UK Government's responsibilities under its international obligations for taking action to reform abortion law in Northern Ireland and how these should be reconciled with the UK's devolution settlement.

The criminal law in Northern Ireland

142. As outlined above, policy on the criminal law is devolved to the Northern Ireland Executive. Changes to the law on abortion cannot therefore be progressed in Northern Ireland until the Executive and Assembly are restored. The matters listed in paragraph 19(a) to (c) all seek amendment to the law and the matter at (d) is dependent on that law.

Termination of pregnancy services

143. The Department of Health in Northern Ireland is responsible for delivering high quality, safe, health care services, including termination of pregnancy services, within the framework of the law. A Working Group, led by the Chief Medical Officer, was established in 2016 to consider the standard of health and social care provision for women with a diagnosis of fatal fetal abnormality; to identify gaps in provision, how they might be closed and the case for legislative change. The group's report, published on 25 April 2018, concluded that, although some improvement could be made to the care and support of women with a diagnosis of fatal foetal abnormality who chose to continue their pregnancies, the law relating to abortion in these cases requires to be changed.

Rural Women

Fracking and gender

144. UK Government has been clear that oil and gas development must be safe and environmentally sound. The UK has a robust regulatory system which provides a comprehensive regime for exploratory activities. In the UK, there are tough

regulations in place to ensure on-site safety, prevent water contamination, and mitigate seismic activity and air pollution.

Wales

145. In July 2018, Welsh Government set out, in a consultation, that it does not believe there is a compelling case that the benefits of petroleum extraction outweigh its commitment to sustainably manage natural resources in Wales.

Scotland

146. In Scotland, a moratorium is in place which means no local authority can grant planning permission for fracking or other UOG activity and Ministers would defer any decision on any planning application that did come forward until the policymaking process is completed, which means that no fracking or other UOG activity can take place in Scotland at this time.

Disadvantaged groups of women

Black, Asian and Minority Ethnic Women

147. The Race Disparity Audit showed that in employment gender matters, even more so for the Pakistani and Bangladeshi group, where employment rates for females is less than half of White groups. Furthermore, from the Labour Force survey in June 2018, the employment rate for Pakistani/Bangladeshi women was 37.6%, and 70.5% for Pakistani/Bangladeshi men. UK Government is introducing measures to help overcome this barrier, including events to engage with Pakistani and Bangladeshi women to explore the benefits of becoming work ready, gaining access to paid employment and the financial incentives for their families in taking up paid employment.

Gypsy and Traveller women and girls

148. In England, the expanded Shared Ownership and Affordable Homes programme has not funded any traveller sites since it was introduced in 2016. Registered Providers are still able to access grant funding towards new traveller sites through the programme, however no bids for this have been submitted.

Asylum seeking women and girls

149. The Home Office has set up a UK Visa and Immigration (UKVI) Safeguarding Hub which considers whether asylum claimants require urgent intervention. They can also signpost to appropriate services, including the NHS and social services, and will contact relevant parties as appropriate about any concerns including sexual violence and abuse.

Universal Credit and split payments

150. The Department for Work and Pensions (DWP) will provide all the support they can when an individual discloses they are suffering from domestic abuse, and direct them to third party professionals who can provide expert support.

151. The default payment for couples on UC is payable as one single payment to households; this means that people can clearly see how their decisions about work affect their total household income. When an individual suffering from domestic violence requests a split payment, DWP will support them in putting this arrangement in place. The Work and Pensions Select Committee noted in their Universal Credit and Domestic Abuse July 2018 report that: "Split payments cannot prevent financial

abuse. Some abusers will find a way to control their partner's finances, whatever systems the DWP puts in place."

152. UC continues to support victims of domestic violence to claim benefits through a range of measures. These include special provisions for temporary accommodation, easements for work related requirements, same day advances and signposting to expert third-party support.

153. The Work and Pensions Select Committee has conducted an inquiry on the subject of UC and domestic abuse and the Government responded to their report and recommendations on 10 October. The Government supported many of the points in the report and the Committee noted that: "Since 2010, the Government has begun to make great strides in tackling domestic abuse. This includes welcome recognition of the damage wrought by perpetrators of coercive and control, including financial abuse where a survivor is deprived of their financial independence".

Scotland

154. Scottish Government is engaging with a wide range of stakeholders, including users of UC, through Experience Panels and third sector organisations, to develop policy options for delivering split payments of the UC award. Scottish Government has found strong support for split payments, but varying views on how it might work in practice, for example, whether payments should be split 50/50 or by individual circumstances. Split payments of UC in

155. Scotland also depend on what is technically feasible in the DWP's IT systems and its capacity to deliver. An announcement will be made in due course.

Asylum and destitution

156. Asylum seekers who would otherwise be destitute are provided with free, fully furnished accommodation. Utility costs are covered and a cash allowance to cover other "essential living needs" is provided. This support is provided under section 95 of the Immigration and Asylum Act 1999.

157. The routine detention of families with children ended in 2010. Families with children who have no lawful basis to stay in the UK are dealt with under the Family Returns Process introduced in 2011.

158. Under section 60 of the Immigration Act 2016, pregnant women may be detained for the purpose of removal from the UK only if their removal is to take place shortly, or there are exceptional circumstances. In either case, detention is limited to a normal maximum of 72 hours, extendable up to a week in exceptional circumstances with Ministerial authorisation. Any decision to detain must have regard to the pregnant woman's welfare and that of the baby.

Wales

159. Welsh Government has worked closely with stakeholders to co-produce a *Nation of Sanctuary Refugee and Asylum Seeker Plan* to improve outcomes for asylum seekers and refugees, which includes a commitment focusing on destitution. Welsh Government is also working with the Destitution: 'No Recourse to Public Funds' Forum to explore ways to further enable the third sector to support refugees and asylum seekers.

Scotland

160. Scottish Government supports calls for a 28-day time limit on immigration detention and for the presumption to be in favour of community-based solutions. In

relation to destitution, Scottish Government has committed to develop an anti-destitution strategy in response to the Scottish Parliament Equalities and Human Rights Committee report *'Hidden Lives – New Beginnings'* on their inquiry into destitution, asylum and insecure immigration status in Scotland.

Pensions

161. The equalisation of State Pension age changes have been subject to significant Parliamentary and media scrutiny, with the Work and Pension Select Committee inquiry into 'Communication of state pension age changes' and numerous Parliamentary debates and questions on this issue.

162. The decision to equalise men and women's State Pension was made over 20 years' ago, and was introduced in the Pension Act 1995. Equalisation removed the longstanding inequality in State Pension age. In addition, the decision to equalise at 65 for both genders was based on a growing recognition that demographic change was leading to a reducing old-age support ratio and the fact that an increasing number of European States were equalising their SPa at 65 or older.

163. During the 1970s and 1980s pressure had built for equalising State Pension and a combination of demographic and other factors led UK Government to make this decision. These include:

- Increases in life expectancy and a growing old age dependency ratio;
- The need to treat men and women equally, given the advancement of female employment rates and women's growing role in the economy.

164. The introduction of Automatic Enrolment means the workplace pension participation rate for eligible women is now near equal to that of eligible men. In 2017, private sector pension participation was at 80% for women and 81% for men; whilst public sector pension participation was at 92% for both men and women.

165. UK Government also introduced the Triple Lock uprating of SP which has substantially increased the value of the SP for all. Since 2010, the full basic SP is worth £1,450 more a year, that's £660 a year more than if it had been uprated by the growth in earnings.

Women in detention

BAME Women

166. The Lammy Review[19] noted that there are unique challenges for BAME and foreign national women in the criminal justice system, both in custody and the community. Through the Female Offender Strategy (June 2018), UK Government will be looking closely at what further action can be taken to identify and address needs specific to these groups.

Scotland

167. As at 5 September 2018 there were 12 BAME women held in Scottish prisons. This represents 3% of the total female prison population on that day and 0.15% of the total prison population. The most up-to-date Census data (2011) reports that 4% of the Scottish population were from a BAME background. As such, BAME women are not over-represented in the custodial settings in Scotland.

[19] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf.

Gender disaggregated data

168. An age breakdown of the women's remand prison population is published within the Ministry of Justice's quarterly Offender Management Statistics.[20] Bail is usually granted unless there are substantial grounds for believing that the defendant would commit certain acts whilst on bail. The Legal Aid, Sentencing and Punishment of Offender Act 2012 introduced a "no real prospect" test, so that defendants should be released on bail, even if these grounds arise.

Scotland

169. In Scotland, the proportion of female prisoners who are on remand is higher than the proportion for male prisoners (23–25% female, 18–19% male). However, this is largely accounted for by the fact that male prisoners are more likely to get very long sentences (4 years or more), rather than the propensity to detain women in remand.

Non-violent offences

170. As of 30 September 2017, 73% of all female prisoners (including those held on remand) were held for a non-violent offence. Most custodial sentences for women are short — in 2017, 72% of custodial sentences for women were six months or less, compared with 56% of men.

171. The National Probation Service (England and Wales) has taken steps to reduce the number of women sentenced to less than 12 months imprisonment. These include:

- Development of an evidence based checklist to ensure that authors of reports which advise the court on sentencing through Pre Sentence Reports (PSRs), address the full range of a woman's risks and needs and, where appropriate, how these might be managed effectively through a community sentence. The checklist also requires PSR authors to advise on the likely impact of custody on a woman and her dependants;
- Implementation of an automatic tool (Effective Proposal Tool) to ensure PSR authors actively consider the full range of community options for which an offender might be suitable.

Scotland

172. In Scotland, there is a presumption against the use of short sentences of less than 3 months, which will be extended to short sentences of less than 12 months once additional protections in the Domestic Abuse (Scotland) Act 2018 are implemented. Scottish Government has allocated around £100 million per annum to local authorities to deliver community sentences and reduce re-offending and is committed to continuing this investment.

Mental Health

173. Her Majesty's Prison and Probation Service (HMPPS) worked with the Public Health England Health and Justice Team and others to develop a set of gender-specific evidence-based standards to improve the health and well-being of women in prison, published on 8 March 2018. The National Partnership Agreement for Prison Healthcare in England 2018–21 commits the Ministry and Justice and other agencies to work collaboratively on key priorities including reducing suicide and self-harm,

[20] https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-january-to-march-2018.

and improving the mental health and well-being of the prison population (including appropriate focus on the needs of those with protected characteristics).

174. UK Government is rolling out revised and improved suicide and self-harm prevention training, which has now reached over 17,000 new and existing staff across the prison estate. The Government will continue to support large numbers of women at risk of suicide and self-harm through the multi-disciplinary Assessment, Care in Custody and Teamwork (ACCT) process.

Scotland

175. In 2015, Scottish Government announced that rather than build a large new women's prison to replace an existing prison, the Scottish Prison Service (SPS) would develop a smaller national women's prison for around 80 women with the most complex needs, and up to 5 Community Custodial Units, helping women maintain links with their local communities and local services while providing proportionate levels of security.

176. As part of its *Mental Health Strategy: 2017–2020*, Scottish Government has committed to increase the mental health workforce by 800 additional staff with additional investment rising to £35m a year.

Privately run places of deprivation of liberty

177. Privately-managed prison contracts set out a strict performance framework, consisting of prescriptive performance targets. These prisons are subject to the same external inspection procedures as those in the public sector. They are inspected at least once every five years by HM Inspectorate of Prisons (HMIP), and usually more frequently. In common with public-sector prisons, privately managed prisons face regular scrutiny by their local Independent Monitoring Board, to ensure that the prison is meeting its responsibility to deliver a safe and secure prison, and they are subject to the public sector equality duty.

Scotland

178. There are arrangements in place for the inspection and independent monitoring of all prisons in Scotland. These operate under the auspices of HM Chief Inspector of Prisons for Scotland in terms of the Prisons (Scotland) Act 1989.

Marriage and Family Relations

Property rights

179. The law on property rights is gender-neutral, and there is equal protection for women's and men's property rights under the law that applies to a particular relationship (family law on divorce or the dissolution of a civil partnership, and civil law on property, contracts and trusts where couples had cohabited but were not in a legal union). UK Government is considering whether further reform to the family justice system in England and Wales is needed to make sure it is delivering the best outcomes for children and families, and protecting the most vulnerable users of the system.